

On March 26, 1928, no claimant having appeared for the property, judgment of the court was entered, finding the product adulterated and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15874. Adulteration of canned peaches. U. S. v. 174 Cases of Canned Peaches. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 22813. I. S. Nos. 24446-x, 24447-x. S. No. 825.)

On June 12, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 174 cases of canned peaches, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Reed Grocery Co., from Beaumont, Texas, October 15, 1927, and had been transported from the State of Texas into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On June 26, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15875. Adulteration of tomato catsup. U. S. v. 46 Cartons, et al., of Tomato Catsup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 22123, 22170. I. S. Nos. 7515-x, 16109-x. S. Nos. 169, 221.)

On or about November 1 and November 25, 1927, respectively, the United States attorney for the Southern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 88 cartons of tomato catsup, remaining in the original unbroken packages at Brunswick, Ga., alleging that the article had been shipped by the Phillips Packing Co., from Cambridge, Md., in two consignments, on or about May 21, and May 24, 1927, respectively, and had been transported from the State of Maryland into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Bottle) "Phillips Delicious Tomato Catsup * * * Phillips Packing Co., Cambridge, Md."

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On May 29, 1928, no claimant having appeared for the property, judgments of forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15876. Misbranding of tomato catsup. U. S. v. 60 Cases, et al., of Tomato Catsup. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22131, 22328, 22342. I. S. Nos. 21505-x, 21506-x, 21221-x, 21223-x, 21483-x. S. Nos. 178, 375, 395.)

On November 2, December 27, and December 31, 1927, respectively, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 935 cases and 594 cartons of tomato catsup, remaining unsold in various lots at Jersey City, Newark, and Elizabeth, N. J., respectively, alleging that the article had been shipped by Greenabaum Bros., Inc., Seaford, Del., in various shipments on or about September 3, September 17, and October 24, 1927, respectively, and had been transported from the State of Delaware into the State of New Jersey, and charging misbranding in violation of the food and drugs act. The article was labeled, variously, in part: (Main label) "Marigold Pure Tomato Catsup," "Uco Brand The Better Grade Catsup," "Tomato Catsup;" (on neck label of each) "Made from carefully selected whole tomatoes, salt, sugar, spices, onions, and vinegar. Guaranteed pure and to comply with all U. S. Food Laws. Contains no artificial color or preservatives."

It was alleged in substance in the libels that the article was misbranded in that the statements, to wit, "Guaranteed pure and to comply with all U. S.